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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/809,941	03/24/2004	Dirk Herke	HOE-810

## CONFIRMATION NO. 6417

20028  
 LAW OFFICE OF BARRY R LIPSITZ  
 755 MAIN STREET  
 MONROE, CT 06468

## FORMALITIES LETTER



\*OC000000012882152\*

Date Mailed: 06/07/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/30/2004 TBESHAI1 00000045 10809941

01 FC:1001	790.00 OP
02 FC:1051	130.00 OP

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- \$770** Statutory basic filing fee.
- \$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
D. Herke )  
Application No.: 10/809,941 )  
Filed: March 24, 2004 )  
For: **CONTROL DEVICE** )

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 23, 2004.

By: Carol Prentice  
Carol Prentice

**MS MISSING PARTS**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUBMISSION OF MISSING PARTS OF  
APPLICATION UNDER 37 C.F.R. 1.53

Dear Sir:

Enclosed are the following items for filing in the above-referenced U.S. patent application:

1. A check in the amount of \$2,530 to cover the total filing fee (\$790); the surcharge set forth in 37 C.F.R. 1.16(e) (\$130); the Assignment recordal fee (\$40) Merger recordal fee (\$40) and Four-month Extension of Time fee (\$1,530);

<b>Basic Fee -</b>								\$ 790.00
<b>Multiple Dependent Claims (270.00)</b>								
<b>Foreign Language Surcharge (\$130.00)</b>								
	<b>For</b>	<b>No. Filed</b>	-	<b>No. Extra</b>	-	<b>Rate</b>		
<b>EXTRA CLAIMS</b>	Total Claims	14	20	0	x	\$18.	=	\$ 0
	Independent Claims	1	3	0	x	\$88.	=	\$ 0
<b>TOTAL FILING FEE</b>								= \$ 790.00

2. Return receipt postage prepaid postcard;

3. Formalities Letter (Part 2) mailed June 7, 2004
4. Declaration and Power of Attorney, signed by the Applicant on October 29, 2004;
5. Copy of original Assignment executed by the Applicant on October 29, 2004, together with separate transmittal form PTO-1595;
6. Merger documentation (AFL Germany Electronics GmbH to Aloca Fujikura Gesellschaft mit beschraenkter Haftung) , together with separate transmittal form PTO-1595 ;
7. Certified copy of priority document, German patent application no. 101 49 390.8, together with transmittal letter;
8. Information Disclosure Statement, together with Form PTO-1449 and copies of the cited documents and International Search Report for PCT/EP02/10725;
9. Request for Four-Month Extension of Time for Filing Missing Parts of an Application.

Having now complied with all of the requirements of 37 C.F.R. Section 1.53, Applicant respectfully requests that this application be placed upon the files for examination.

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-0625.

Respectfully submitted,



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Barry R. Lipsitz  
Attorney for Applicant(s)  
Registration No. 28,637  
755 Main Street  
Monroe, CT 06468  
(203) 459-0200

Date: November 23, 2004

**ATTORNEY DOCKET NO.: HOE-810**